

REMARKS

Claims 1-17 remain pending in the patent application. Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

Claims 11, 12, 14 and 16 were rejected under 35 U.S.C. §102(b) based on Japanese Patent Application Publication No. JP11-315095 to Pirrung et al. ("Pirrung"). The rejection is respectfully traversed.

Applicant notes that the Office Action asserts specific portions of the Japanese text of Pirrung. Per MPEP §706.02(II), a translation of Pirrung must be supplied to Applicant so that the record is clear precisely which facts from Pirrung are being relied on. In the event the rejection based on Pirrung is maintained, it is respectfully submitted that a translation must be provided to Applicant. In the absence of such a translation, it is respectfully submitted that the rejection based on Pirrung must be withdrawn.

For the sake of expediting prosecution, Applicant has reviewed what appears to be the corresponding portions of counterpart U.S. Patent 5,143,854. It appears that Pirrung discloses a reactor system 100 for synthesizing polymers on a prepared substrate. The reactor system includes a body 102 with a cavity 104 on a surface thereof. A substrate 112 is mounted above the cavity 104. The substrate and the body serve to seal the cavity except for an inlet port 108 and an outlet port 110. Fluid is pumped through the inlet port into the cavity by way of a pump 116. A light source 124 and lenses 120, 126 are provided for the purpose of projecting a mask image onto the substrate. In operation, the substrate is placed on the cavity and sealed thereto. A first, deprotection fluid (without a monomer) is circulated through the cavity. The slide is, thereafter, positioned in a light raypath from the mask such that first locations on the substrate are illuminated and, therefore, deprotected. After irradiation, the slide is removed, treated in bulk, and then reinstalled in the flow cell. Alternatively, a fluid containing the first monomer, preferably also protected by a protective group, is circulated through the cavity by way of pump 116. Further, in FIG. 11A, a glass 20 is provided with regions 22, 24, 26, 28, 30, 32, 34, and 36. Regions 30, 32, 34, and 36 are masked, as shown in FIG. 11B and the glass is irradiated and exposed to a reagent containing "A" (e.g., gly), with the resulting structure shown in FIG. 11C. Thereafter, regions 22, 24, 26, and 28 are masked, the glass is irradiated (as shown in FIG. 11D) and exposed to a reagent containing "B" (e.g., phe), with the resulting structure shown in FIG. 11E. The process proceeds, consecutively masking and exposing the sections as shown until the structure shown in FIG. 11M is obtained.

Regarding claim 11, Applicant submits that the cited portions of Pirrung, as Applicant best can determine from the U.S. counterpart, do not disclose a device manufacturing method comprising, *inter alia*, processing an area of a substrate by exposing it to a fluid that interacts therewith to effect a process, wherein the area of the substrate does not include a target portion and projecting a patterned beam of radiation onto the target portion and processing are carried out at least partially simultaneously. There appears to be no discussion in the cited portions of Pirrung disclosing exposing an area of a substrate to an interacting fluid while, at least partially simultaneously, projecting a patterned beam of radiation onto a target portion of a layer of radiation-sensitive material, wherein the area does not include the target portion. The cited portions of Pirrung appear to merely disclose exposing to fluid and projecting a patterned beam onto the same area of the substrate. Claim 11 is therefore patentable over the cited portions of Pirrung.

Claim 12 is patentable over the cited portions of Pirrung by virtue of its dependency from claim 11, and for the additional features recited therein.

Regarding claim 14, the cited portions of Pirrung do not disclose a fluid processing cell comprising a plurality of separate chambers that are in fluid communication with respective areas of the substrate. The cited portions of Pirrung fail to disclose a plurality of separate chambers, let alone in fluid communication with respective areas of the substrate. The cited portions of Pirrung appear to merely disclose a single chamber or cavity. Therefore, claim 14 is patentable over the cited portions of Pirrung.

For similar reasons as discussed above with respect to claim 11, the cited portions of Pirrung do not disclose claim 16. For example, the cited portions of Pirrung fail to disclose a device manufacturing method, comprising, *inter alia*, processing an area of a substrate by exposing it to a fluid that interacts therewith, the area of the substrate not including a target portion, wherein projecting a patterned beam of radiation onto the target portion and the processing are carried out at least partially simultaneously. As a result, claim 16 is patentable over the cited portions of Pirrung.

Accordingly, reconsideration and withdrawal of the rejection of claims 11, 12, 14 and 16 under 35 U.S.C. § 102(b) based on Pirrung are respectfully requested.

Applicant has addressed all the rejections and respectfully submits that the application is in condition for allowance. A notice to that effect is earnestly solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

SIMON ET AL. -- 10/724,402
Client/Matter: 081468-0307087

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Respectfully submitted,

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